

**From:** David Lentz  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

This note is in response to the request for public comment on the Microsoft-DOJ "settlement".

Let's see if I understand the settlement purchased by Microsoft -- after being convicted of predatory business practices and abusing their monopoly power, Microsoft will:

- 1) Not be impeded in any way, shape or form from using their existing monopoly power to extend their influence to other industries by restrictive covenants and bundling products to exclude/crush competitors
- 2) Not be required to compensate either the companies damaged (Netscape comes to mind) or the consumer for damages inflicted by their crimes.  
Indeed, so far as I can tell, our government's position is that the Microsoft monopoly and absence of competitive drive in the small computing marketplace is the best thing that ever happened to us.
- 3) Be forced to push "one" billion dollars, into one of the few markets not completely under their control (education), in a manner virtually guaranteed to give them a dominant influence, leaving them with "only" a 35+ billion dollar cash position.
- 4) Be subject to the smallest degree of oversight possible, by a handful of individuals with no degree of control over the actions of the company they are overseeing. I expect the nation's news media to be a more effective control, but only to the degree that Microsoft cares what is said about them. If past reflects the future, they couldn't care less what anyone thinks about the way they conduct their business, so long as they are free and unencumbered.

Is that about the size of it? Do I understand it? I guess my reaction is that Microsoft got one hell of a bargain for their investments in the US Government (meaning the Executive branch, Legislative branch, and Judicial branch). I figure that the additional markets and profits this "settlement" will acquire for them will more than pay for their legal expenses. Looks to me like in the case of "Microsoft vs the DOJ", that regardless of the "official verdict", Microsoft won and the government is begging their forgiveness via this "gift" of a settlement.

Just my opinion and comment.

David Lentz  
15126 Count Fleet Ct  
Carmel, IN 46032

davelentz@acm.org